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December 9, 2019

BY HAND DELIVERY & ECF

Honorable Frederic Block
United States District Judge
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Klein v. Altria Group, Inc.*, No. 2:19-cv-05579-FB-AKT
Cipolla v. Altria Group, Inc., No. 1:19-cv-6774-FB-PK

Dear Judge Block:

We represent defendants in the above-captioned proceedings. Pursuant to Section 2.A of the Court's individual practices, we respectfully request a pre-motion conference in advance of filing a motion to transfer these actions, pursuant to 28 U.S.C. § 1404(a), from the Eastern District of New York to the Richmond Division of the Eastern District of Virginia.

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These cases are putative securities fraud class actions brought by stockholders of Altria Group, Inc. Although the cases were filed in this district, they have no apparent connection to the Eastern District of New York. They seek to challenge statements made by Altria, a Virginia corporation headquartered in Virginia, about an investment that it made in JUUL Labs, Inc., a Delaware corporation headquartered in California. The statements at issue were disseminated from Altria's headquarters in Richmond, Virginia. And there is no alleged connection between these statements and the Eastern District of New York.

In case after case, courts in this district have transferred securities class actions like this one to the district where the issuer is based. Indeed, this Court has observed that such motions are generally granted as a matter of "routine." *In re Hanger Orthopedic Grp., Inc. Sec. Litig.*, 418 F. Supp. 2d 164, 168 (E.D.N.Y. 2006) (Block, J.) (transferring securities case to the District of Maryland, where issuer was headquartered); *see also City of Warren Police & Fire Ret. Sys. v. Zebra Techs. Corp.*, 2019 WL 3997354 (E.D.N.Y. Aug. 23, 2019) (Tomlinson, M.J.) (transferring securities case to the Northern District of Illinois, where issuer was headquartered); *Blass v. Capital Int'l Sec. Grp.*, 2001 WL 301137 (E.D.N.Y. Mar. 23, 2001) (Block, J.) (transferring securities case to the Middle District of Florida, where issuer was headquartered). The cases against Altria are no different from the rest.

The relevant factors here weigh heavily in favor of transferring this litigation. Because Altria's headquarters are in Virginia, that is where the company's key officers and executives work and reside. The relevant witnesses, documents, and evidence are all located in Virginia. And the key events underlying plaintiffs' claims are Virginia-based. The center of gravity of this dispute is unquestionably in Richmond, Virginia. And defendants are unaware of any facts or nexus that would justify litigating in the Eastern District of New York. As a result, this Court should follow the substantial body of precedent transferring securities fraud actions to the district where the issuer is headquartered and send these cases to the Eastern District of Virginia before expending judicial resources on litigation that does not belong in this district.

We are available at the Court's convenience should Your Honor have any questions or wish to convene a conference. Alternatively, we are ready to promptly brief a motion to transfer venue should this Court determine that a pre-motion conference is unnecessary.

Respectfully,


Stephen R. DiPrima

cc: All counsel of record (by ECF)